

1 May 1975

George--

The other day you asked for another look at Humphrey's Joint Committee on National Security bill. It is attached along with the summaries of all the joint committee bills introduced this Congress. Your Watch List has a more complete summary of each of the bills.

Don

CIA

CONGRESSIONAL OVERSIGHT PROPOSALS

The long-standing congressional oversight procedure of reporting on Agency operations only to the Armed Services and Appropriations Committees of both houses was significantly altered by the Foreign Assistance Act of 1974, which requires reporting on covert action to the foreign affairs committees of both Houses. This means six committees now receive reports on covert operations. Other, more far-reaching proposals have been introduced in the 94th Congress, and may receive major attention. The Senate Subcommittee on Intergovernmental Relations of the Committee on Government Operations held hearings on 9 and 10 December 1974 regarding CIA oversight. Senator Muskie, chairman of this subcommittee, announced additional hearings for early 1975, but apparently will defer to the Senate Select Committee.

Following are sketches of proposals to alter the permanent CIA oversight mechanism. All House bills on oversight have been referred to the Rules Committee. Jurisdiction of the Senate bills is split between the Armed Services, Government Operations, and Rules Committees.

1. Joint Committee on Intelligence Oversight (S. 317, H.R. 463)

Senators Baker and Weicker and twenty-five co-sponsors introduced the Senate proposal in the 93rd Congress and again in January. Senators

Baker and Weicker spoke in favor of their bill during the Muskie hearings last December. Representatives Frenzel and Steelman introduced the companion House bill. The Joint Committee on Intelligence Oversight would have fourteen members, appointed by the leadership, and the chairmanship would alternate between the House and Senate for each Congress. The legislative jurisdiction of the Committee would extend to CIA, FBI, Secret Service, DIA, NSA, and all other Governmental activities pertaining to intelligence gathering or surveillance of persons. Heads of all named departments would be required to keep the Committee fully and currently informed of all activities.

2. Joint Committee on National Security (S. 99, H.R. 54)

This bill was introduced in the 93rd and 94th Congresses by Senator Humphrey. Representative Zablocki is the House sponsor. The Senate bill was transferred from the Armed Services to the Government Operations Committee at Senator Humphrey's request during the 93rd Congress, and was considered during the Muskie hearings in December. Dr. Ray Cline, former CIA official and Director of the Bureau, spoke in favor of this proposal. S. 99 has been referred to the Armed Services Committee.

The Joint Committee on National Security would consist of the Speaker, Majority and Minority members of each house, the chairman

and ranking Minority members of the Armed Services, Appropriations, Foreign Affairs, Joint Atomic Energy Committees, three other Representatives, and three other Senators. Proposed functions of the Committee are to study foreign, domestic, and military national security policies, study the National Security Council, and study Government classification practices, and report periodically to each House on the Committee's findings. This bill would apparently not change any present jurisdiction (i. e., the Armed Services Committees would retain legislative jurisdiction); it would merely supplement it.

3. Joint Committee on the Continuing Study of the Need to Reorganize the Departments and Agencies Engaging in Surveillance (S. 189)

Senators Nelson, Jackson, and Muskie introduced this proposal. Senator Nelson introduced a similar proposal last Congress, and supported it during the Muskie hearings. This committee would be composed of eight Senators and eight Representatives, with an equal party split. The Committee would be empowered to study the need to reorganize U. S. agencies engaged in investigation or surveillance of individuals (citizenship not specified), the extent, methods, authority, and need for such investigation or surveillance, and the state-federal relationship in this area. The Joint Committee would not have jurisdiction to examine activities conducted outside United States, but may recommend means for Congress to oversee such extraterritorial activity.

4. Joint Committee on Information and Intelligence (S. Con. Res. 4)

Senator Hathaway is the sponsor of this proposal. It would create a fourteen-member joint committee to study the activities of each information and intelligence agency and their interrelationships.

5. Several other House bills or resolutions would create joint committees to assume CIA oversight and would either have members appointed by the leadership or drawn from specified committees (such as Armed Services, Appropriations, Foreign Affairs, Foreign Relations, and Government Operations). Among this group are H.R. 261, H. Con. Res. 18, H.R. 2232. H. Res. 51 would create a new standing committee of the House entitled the Committee on the Central Intelligence Agency.

6. Mr. Dellums has reintroduced the "Central Intelligence Agency Disclosure Act," H.R. 1267, amending certain statutory authorities to modify Agency exemptions in the area of reporting to Congress. The bill would impose a positive duty on the Agency to report to congressional committees and subcommittees upon request sensitive details on prospective activities (5 U.S.C. 2953), contracts (50 U.S.C. 1434), and covert funding (CIA Act of 1949, Section 8b)--information already available to appropriate oversight committees under current procedures. The Agency would also be required upon request to provide any substantive and operational

information to any congressional committee or subcommittee relating to any matter within its jurisdiction (CIA Act of 1949, Section 6). These provisions would proliferate sensitive information on Agency operations throughout the Congress and fragment oversight responsibilities.

NATIONAL SECURITY AND CIA ACT AMENDMENTS

Key Bills

During the 93rd Congress, Senator Stennis, Senator Proxmire, Representative Nedzi, and others introduced proposals to amend the CIA section of the National Security Act of 1947. Only Senator Proxmire (S. 244) and Representatives McCloskey (H. R. 628) and Dellums (H. R. 343) have introduced such bills in the 94th Congress. During the 93rd Congress, the Senate approved an amendment to the Fiscal 1975 Defense Authorization bill (H. R. 14592), which incorporated the Proxmire language, but the amendment was rejected in conference on the point of germaneness. Representative Nedzi held hearings on his bill in July 1974, but did not report out a bill. During the hearings, interest was expressed in the protection of intelligence sources and methods legislation, which had been proposed by the Director and which was in coordination within the Executive branch.